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C O N F I D E N T I A L THE HAGUE 002264

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STATE FOR EUR/UBI, L/PM (A DEEKS), ISN, PM

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TAGS: [MCAP](#) [PARM](#) [PREL](#) [NL](#)

SUBJECT: NETHERLANDS: RESPONSE ON CCW REVCON DEMARCHE

REF: STATE 168629

Classified By: Political Counselor Andrew Schofer, reasons 1.4 (b,d)

¶1. (C) Summary: While the GONL sees the value in pursuing an "opt in" annex for an anti-vehicle mine (AVM) protocol at the upcoming Convention on Conventional Weapons (CCW) Review Conference, the Dutch have historically opposed optional clauses. MFA Head of Arms Control and Export Policy Matthijs Wolters said the Dutch will likely support the EU mainstream, but could not speculate where EU members will fall out on the issue. Wolters also argued in favor of a CCW discussion on cluster munitions, and made a pitch for the Arms Trade Treaty (ATT). End summary.

¶2. (C) Polmiloff discussed reftel points with Wolters and Deputy Head Vincent van Zeijst on October 18. Wolters and van Zeijst took the point that countries like Russia, Pakistan, China, Belarus, and Cuba would not likely adopt an AVM protocol at the CCW review Conference. From that perspective, van Zeijst said that an "opt in" annex made sense, especially as consensus on the protocol would be a marked improvement over the status quo.

¶3. (C) That said, Wolters noted that historically the Netherlands has not supported optional clauses -- "no text is better than bad text." He suspected the Netherlands would agree to follow the EU member mainstream on the issue, but could not speculate at this point what that might be -- he doubted it will be feasible to gain an EU consensus on such a controversial issue. Not familiar with the AVM coordinator-circulated paper from the last CCW meeting in Geneva, van Zeijst asked if both detectability and active life obligations would be included in one or several "opt in" annexes; polmiloff agreed to pass the question back to Washington.

¶4. (C) Wolters and van Zeijst took issue with the USG position that other topics -- especially the use of cluster munitions -- were not sufficiently mature to warrant discussion in the CCW. Van Zeijst argued that the CCW was "the forum" to discuss cluster munitions, especially following their recent use in Lebanon, and pointed to the October 13 International Committee of the Red Cross (ICRC) proposal as a potential CCW agenda item. Wolters noted strong public and political momentum building in the Netherlands to ban cluster munitions, and related similar efforts in other EU countries like Belgium, Germany and Norway. He referred to a recent UK paper suggesting cluster munitions would be obsolete in 15 years time -- why not begin working on retiring cluster munitions now? At the very least, Wolters said, constructive discussion in the CCW could

focus on cluster munitions standardization and safety.

15. (C) On a separate item, Wolters raised the Arms Trade Treaty (ATT), noting a "clear majority" appears to support it. He acknowledged U.S. reservations regarding the treaty, but added that a USG vote against it would be "rather unfortunate."

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